IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

Con.Case(C).No. 775 of 2006(S)

(JUDGEMENT IN WPC.6071/2004 Dated 19/10/2004)

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PETITIONER/PETITIONER:

N.GOPINATHA KURUP, AGED 60,
S/O.LATE SIVARAN, ASSISTANT EXECUTIVE ENGINEER
(RETD), DISTRICT CONTROL ROOM PATHANAMTITTA,
RESIDING MULANILKUNNATHIL HOUSE, KURAMPALA,
PANDALAM P.O.

BY ADV. SRI.V.N.ACHUTHA KURUP (SR.),
SRI.K.G.RENGANATH.

RESPONDENTS/RESPONDENTS:

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1. **MR.MATHAI, (AGE AND FATHERS NAME NOT KNOWN TO THE PETITIONER), SECRETARY, KERALA STATE ELECTRICITY BOARD, VYUDYUTHI BHAVANAM, PATTOM, THIRUVANANTHAPURAM.**

2. **DR.PAVITHRAN, (AGE AND FATHERS NAME ARE NOT KNOWN TO THE PETITIONER), CHIEF ENGINEER (HRM), K.S.E.B. VYDYUTHI BHAVANAM, PATTOM, THIRUVANANTHAPURAM.**

3. **MR.V.K.SAJEEV, (AGE AND FATHERS NAME ARE NOT KNWON TO THE PETITIONER), DEPUTY CHIEF ENGINEER K.S.E.B. ELECTRICAL CIRCLE, PATHANAMTHITTA.**

BY ADV. SRI.N.N.SUGUNAPALAN (SR.),
SRI.K.S.ANIL, SC, KSEB.

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING BEEN FINALLY HEARD ON 08/08/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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Cont.Case(C).No.775 of 2006-S

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Dated this the 8th day of August, 2007.

JUDGMENT

Following the directions issued on 24-1-2007 calling for an additional affidavit, having regard to Annexure-E, an affidavit dated 21-2-2007 is placed on record. Out of the five claims in Annexure-E, claims 1 and 2 have been paid and regarding the other claims, there is serious dispute as to the entitlement, going by the averments in paragraph 5 of the affidavit dated 21-2-2007, supported by Annexure-I document. Under such circumstances, no case of wilful negligence to obey the directions is made out. This contempt of court case is hence close without prejudice to the right of the petitioner, if any, to appropriate legal proceedings for recovery of amounts in accordance with law.

THOTTATHIL B. RADHAKRISHNAN, JUDGE.

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